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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,583	05/30/2000	Toni Kopra	017.38081X00	8331
38879	7590	06/24/2005	EXAMINER	
DARBY & DARBY P.C. P.O. BOX 5257 NEW YORK, NY 10150-6257			RETTA, YEHDEGA	
			ART UNIT	PAPER NUMBER
			3622	

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/580,583

Applicant(s)

KOPRA, TONI

Examiner

Yehdega Retta

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 April 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 19,21-34 and 36-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19,21-34 and 36-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This office action is in response to amendment filed April 7, 2005. Claims 19, 28, 34, 36 and 41 have been amended. Claims 19, 21-34, 36-41 are still pending.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, 21-24, 28, 29, 34-39 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bandera et al. U.S. Patent No. 6,332,127 and further in view of Collins-Rector et al. U.S. Patent No. 6,188,398.

Regarding claims 19, 21 and 22, 24, 34 and 36, Bandera teaches displaying a link to a resource with a mobile terminal; automatically employing the location of the mobile terminal to determine content that is related to the linked resource and also to the location of the terminal; determining the location at periodic interval; searching a database for sellers information (see abstract, col. 2 lines 29-53, col. 5 lines 15-25 and col. 6 line 41 to col. 7 line 52). Bandera teaches providing an advertising object (banner ads of a related content) and the advertising objects including a text files, audio files, video files, image files, hyperlinks and the likes (see col. 2 lines 36-60). Collins teaches active areas in banner ads, which can be selectable by a mouse click, in order to obtain further information about an item, which appeared in the banner ad (col. 2 lines 39-62, col. 4 lines 51-62). Collins also teaches determining content that is related

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to the linked resource (col. 2 lines 39-62 and col. 4 lines 52-62). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement clickable spot in Bandera's video ads, as in Collins, in order to provide interactive experience in which the viewer can obtain further information. Also it would have been obvious to determine content that is related to the linked resource, as in Collins, in Bandera's location specific advertisement to maintain a potential purchaser's interest (see col. 2 lines 1-21).

Regarding claim 23 determining the network address of the mobile terminal and mapping the network address to mobile identifier is inherent feature of Bandera's access to Internet (see col. 4 lines 36-45).

Regarding claims 28 and 29, Bandera teaches transceiver configured to communicate over a network; a memory including logical instructions stored therein and a processor configured to enable action based on executing the logical instruction for displaying a link to a resource; storing the location of the mobile terminal and communication the selected link and the location of the mobile terminal to an application server; receiving content related to the linked resource and the location and displaying the content (see fig. 2, abstract, col. 2 lines 29-53, col. 5 lines 15-25 and col. 6 line 41 to col. 7 line 52).

Regarding claims 37-39, Bandera teaches searching database for reseller information that is a match to the location of the terminal and advertisement and providing the information to the mobile terminal (see fig. 2&3 and col. 4 line 35 to col. 5 line 25). Base station subsystem and mobile terminal connected via GSM network is inherent feature.

Claim 41 is rejected as stated above in claim 19.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25-27, 30-33 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bandera in view of Collins-Rector et al. U.S. Patent No. 6,188,398 and further in view of Saha et al. U.S. Patent No. 6,198,935.

Regarding claims 25-27, 30-33 and 40 Bandera teaches the location of the mobile terminal being determining using different method, such GPS, or based on identification of the cellular base station or satellite beam (see col. 4 lines 46-60 and col. 6 line 42 to col. 7 line 30). Bandera does not explicitly teach measuring radio signals and determining the arrival time of a first detectable path and determining idle periods, it is taught by Saha (see abstract and col. 5 line 15 to col. 6 line 67 and col. 7 lines 5-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Bandera's mobile terminal with Saha's determining of position based upon network characteristics. One would be motivated to include signal measurement for the purpose of computing an accurate position of a mobile station, as taught by Saha (see col. 7 lines 5-10). Bandera's Web access from the mobile terminal enables a bet from the mobile terminal.

***Response to Arguments***

Applicant's arguments with respect to claims 19, 21-34 and 36-41 have been considered but are moot in view of the new ground(s) of rejection.

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***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wistendahl et al. (US 6,496,981) teaches an interactive media content.

Srinivasan et al. (US 6,357,042) teaches ad placement in video data streams.


Rangan et al. (US 6,006,265) hypervideo, a full-motion digital video with embedded hyperlinks to related content through automated means of creating video "hotspots".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (571) 272-6723. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YR

  
RETTAYEHDEGA  
PRIMARY EXAMINER